

AUG 14 2007

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FROM: Cora A. Wray (Typed or printed name of person signing Certificate)

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Application No.: 10/824,298

Inventor(s): Haimanot Bekeke, *et al.*

Filed: April 14, 2004

Docket No.: 9211M

Confirmation No.: 6061

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1) Response To Restriction Requirement - 4 pages

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/824,298
Inventor(s) : Haimanot Beleke, et al.
Filed : April 14, 2004
Art Unit : 1609
Examiner : Shahrzad Farzaneh
Docket No. : 9211M
Confirmation No. : 6061
Customer No. : 27752
Title : TRANSFER-RESISTANT COSMETIC COMPOSITIONS

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In response to the Office Action dated July 18, 2007, applicants hereby elect the invention represented by the claims of examiner's Group I, namely, claims 1-11, 16, and 17, with traverse, for examination on the merits at this time. Applicants assume that the Office Action contains a typographical error in stating that Group II contains claims 12-17. This response is based on the assumption therefore that the examiner's Group II actually contains method claims 12-15. The Office Action identifies no Group III, as referred to in paragraph 3 of the Office Action at pages 2 and 3.

It is submitted, however, that all claims 1-17, i.e., examiner's Groups I and II, should be examined at this time. The novelty of the invention is defined in the claims of both Group I and Group II, which are not two independent and distinct inventions because the statutory requirements of 35 U.S.C. §121, namely, independence and distinctness, are not present herein.

The inventions of examiner's Groups I and II are not independent because the compositions and the methods set forth in the claims are so closely related that a search for